THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 9137 of 2007

Dated: 30.04.2007

Between:

Prof. M. Vivekananda Murthy.

.... PETITIONER

AND

The Andhra University, rep. by its Vice Chancellor,
Visakhapatnam,
Visakhapatnam Districtr and three others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.9137 of 2007

ORDER:

Assailing the orders dated 09.04.2007, passed by respondent No.4-Executive Council of Andhra University, terminating his services as Professor, the petitioner filed the present writ petition.

When the writ petition is taken up for hearing, the learned Standing Counsel for the respondents-Andhra University took an objection as to the maintainability of the writ petition and submitted that though the impugned order does not stated as to under what provision has been passed, but since it has been passed by the Executive Council, the petitioner has got an effective alternative remedy of appeal under Rule 19(b) of Chapter V dealing with Appointments and Special Conditions of Service – University Teachers – General of the Administrative Manual, before the Chancellor.

In view of the stand taken by the Standing Counsel for the respondents-University, the learned counsel for the petitioner submitted that he would avail the remedy of appeal.

In the circumstances, I deem it appropriate to dispose of the writ petition with the following directions:

The petitioner may avail the remedy of appeal available to him against the impugned order passed by the Executive Council before the Chancellor under Rule 19(b) of Chapter V dealing with Appointments and Special Conditions of Service – University Teachers – General of the Administrative Manual, within a period of four weeks from today. Till then, the respondents-University are directed not to give effect to the impugned order.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 30.04.2007.

Note:

Operative portion of the
Order by wire.

(B/o)
Sj/Ksr